

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY)	MDL No. 1456
AVERAGE WHOLESALE PRICE)	
LITIGATION)	CIVIL ACTION: 01-CV-12257-PBS
)	
THIS DOCUMENT RELATES TO ALL)	Judge Patti B. Saris
CLASS ACTIONS)	
)	

**DECLARATION OF ED NOTARGIACOMO
REGARDING THE *LUPRON* LITIGATION**

Ed Notargiacomo under oath states as follows.

1. I am a lawyer with Hagens Berman Sobol Shapiro LLP appearing for class plaintiffs in *In re Lupron Mktg. & Sales Practices Litig.*, MDL 1430, before Judge Stearns. My firm is one of the lead counsel.

2. I have checked with Complete Claims Solutions, the court-appointed claims administrator in the *Lupron* settlement and ascertained that as of July 18, 2005, 13,510 claims have been received from members of the consumer class. Of the 12,922 claims processed by the claims administrator to date, consumers have claimed a total of \$27,273,498 in Lupron purchases. The claims administrator is currently conducting an audit of those claims in order to verify the claims in anticipation of a final order from the Court which will allow a distribution of the settlement funds to consumers as well as third-party payor class members.

Further the declarant sayeth not. I certify under penalty of perjury that the foregoing is true and correct. Executed this the 21st of July, 2005.

/s/ Ed Notargiacomo
ED NOTARGIACOMO

CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing, **DECLARATION OF ED NOTARGIACOMA REGARDING THE LUPRON LITIGATION** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on April 21, 2005, a copy to Verilaw Technologies for Posting and notification to all parties

By /s/ Steve W. Berman
Steve W. Berman
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